

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA**

**GRADY O. HUMPHREYS, et al.,**

**Plaintiffs,**

**v.**

**A. O. SMITH ELECTRICAL  
PRODUCTS COMPANY, a division of  
A.O. SMITH CORPORATION, et al.,**

**Defendants.**

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**CIVIL ACTION NO.:  
2:07-CV-607-WKW**

**NOTICE BY RAPID AMERICAN CORPORATION  
OF TAG-ALONG ACTION**

PLEASE TAKE NOTICE THAT on July 29, 1991, the Judicial Panel on Multidistrict Litigation entered an order transferring all asbestos cases pending in Federal Court to the United States District Court, Eastern District of Pennsylvania, for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407 (“MDL Transfer Order”). That order also applies to “tag-along actions,” or actions involving common questions of fact filed after the January 17, 1991 filing of the Panel’s Order to Show Cause. MDL Rule 7.5 provides:

Any party of counsel in actions previously transferred under Section 1407 or under consideration by the Panel for transfer under Section 1407 shall notify the Clerk of the Panel of any potential “tag-along actions” in which that party is also named or in which that counsel appears.

The undersigned hereby notifies the Court that this case is a potential “tag-along action” which may be subject to transfer to the Eastern District of Pennsylvania. The Clerk of the Panel

may either: (1) enter a conditional transfer order pursuant to MDL Rule 7.4 (a), or (2) file an order to show cause why the action should not be transferred, pursuant to MDL Rules 7.5(c) and 7.3.

Dated: February 6, 2008.

Respectfully submitted,

/s/ E. L. McCafferty, III  
E. L. McCAFFERTY, III (ASB-6710-C64E)

*Attorney for Rapid American Corporation*

**OF COUNSEL:**

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 6th, 2008, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing to counsel who are CM/ECF participants.

I further certify that the original of the Notice of Tag-Along Action and copy of the Complaint have been sent via overnight mail to:

Clerk of the Panel  
Judicial Panel on Multidistrict Litigation  
Thurgood Marshall Federal Judiciary Building  
One Columbus Circle, N.E.  
Room G-255, North Lobby  
Washington, D.C. 20002-8004

/s/ E. L. McCafferty, III

